

REMARKS

Applicants amend claim 1. Upon entry of this amendment, claims 1-13 are pending, of which claims 6-13 were withdrawn from further consideration. Claims 1-5 are under consideration, of which claim 1 is independent.

I. Telephone Interview and Claim Amendments

Applicants thank the Examiner for the courtesy of the telephone interview conducted on October 10, 2007. During the interview, Applicant discussed a proposed claim amendment with the Examiner. Applicants explained the amendment to the Examiner with reference to Figure 1. Applicants also discussed Figures 3 and 4 of the cited JP 2002-117880 reference. Applicants argued to the Examiner that JP 2002-117880 does not disclose the feature that the first fuel cell stack and the second fuel cell stack generate electric power simultaneously in use. Applicants specifically argued that, in JP 2002-117880, the fuel cell stack (11) does not generate electric power in the humidifying mode, as depicted in Figure 4.

The Examiner agreed to consider these comments and to discuss the proposed amendment with her supervisor. After discussing the matter with her supervisor, the Examiner suggested that Applicants further amend the claims to recite that the first stack and the second stack are electrically connected in series. The Examiner indicated that such an amendment may overcome the cited prior art reference.

Based on the Examiner's suggestion, Applicants amend claim 1 to recite that the first stack and the second stack generate electric power simultaneously in use and are electrically connected in series. Support for the amendments to the claims can be found throughout the originally filed specification, figures and claims, for example, Fig.1 and page 18, line 25 through page 19, line 2. No new matter is added.

II. Claim Rejection Under 35 U.S.C. §102

Claims 1-5 are rejected under 35 U.S.C. §102(e) as being anticipated by JP 2002-117880 (hereafter "the Katagiri reference").

Applicants submit that the Katagiri reference does not disclose that “the first stack and the second stack generate electric power simultaneously in use and are electrically connected in series,” as recited in claim 1.

The Katagiri reference discloses a fuel cell system (10) having two fuel cell stacks (11, 12). (Figures 1, 3 and 4). The fuel cell system (10) includes fuel gas supply passages (42, 43) and fuel gas discharge passages (44, 46) for the fuel cell stacks (11, 12), respectively. The Katagiri reference discloses a connection passage (47) that connects the fuel gas discharge passage (44), which is connected to the fuel cell stack (11), to the fuel gas supply passage (43), which is connected to the fuel cell stack (12).

In the Katagiri reference, the fuel cell stack (11) functions as a humidifier that humidifies the fuel gas supplied to the fuel cell stack (12). (Paragraphs [0024]-[0027]). The fuel cell stack (11) does not generate electric power in the humidifying mode when the fuel cell stacks (11, 12) are connected in series, as depicted in Figure 4. The Katagiri reference does not disclose that “the first stack and the second stack generate electric power simultaneously in use and are electrically connected in series,” as recited in claim 1.

Applicants therefore submit that the Katagiri reference fails to disclose each and every element and limitation of independent claim 1. Applicants respectfully request the Examiner reconsider and withdraw the rejection of claim 1.

Applicants note that the dependent claims 2-5 also recite separate patentable subject matter. As such, for this and the reasons set forth above, the dependent claims also define over the art of record.

III. Conclusion

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

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Respectfully submitted,

By _____

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